



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,275	10/24/2001	William D. Tierney	G0008/7007	3532
21127	7590	11/07/2005	EXAMINER	
KUDIRKA & JOBSE, LLP ONE STATE STREET SUITE 800 BOSTON, MA 02109			TANG, KAREN C	
			ART UNIT	PAPER NUMBER
			2151	

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/036,275

Applicant(s)

TIERNEY ET AL.

Examiner

Karen C. Tang

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 and 41-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 and 41-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/24/03</u> | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2151

DETAILED ACTION

- This action is responsive to the amendment and remarks file on 8/12/2005.
- Claims 1-39, 41-46 are presented for further examination.
- The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 14, 27, and 41 are reject because it is unclear to examiner that "a second user having an identity in a shared private..". It is unclear to examiner that if only the second user is in the shared private space that has an identify, or the both users are in the shared private space. For the examining purpose, Examiner will interprets this as both users are in the private share space.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-39, 41-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peinado (US 6,816,596) in view Huitema et al hereinafter Huitema (2003/0055892).

Art Unit: 2151

1. Referring to Claims 1, 14, 27, and 41, Peinado discloses (b) sending a request from the management server to the first user to become a managed entity (refer to Col 7, Lines 14-25 and Col 11, Lines 40-60); (c) downloading from the management server to the client software a definition file containing a definition of the managed entity (refer to Col 3, Lines 55-67), and (d) associating information in the definition file with the first user and device in the client software in order to create a managed entity (refer to Col 3, Lines 24-67).

Peinado does not expressly using client software operating in devices to connect a first user having an identity to a second user having an identity in a shared private space without the assistance of a server so that collaborative information is sent directly between the first and second users without an intervening server.

Huitema discloses using client software operating in devices to connect a first user having an identity to a second user having an identity in a shared private space without the assistance of a server so that collaborative information is sent directly between the first and second users without an intervening server (refer to 0003, 0007, 0008, 0041, 0043-0046, 0056, and 0101-0104).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Peinado and Huitema because Huitema discloses the need of providing security need for the user chatting conferences,

The suggestion/motivation for doing so would have been that by providing the encryption for the network chatting, it will ensure network security between users who trying to communicate with each other.

2 Referring to Claims 2, 15, 28, and 42, Peinado discloses wherein the managed entity is a managed user (a user, refer to Col 3, Lines 5-15) and the definition information file is an injectible identity file (refer to Col 2, Lines 55-67 and Col 3, Lines 1-25).

3. Referring to Claims 3, 16, 29, and 43, Peinado wherein the managed entity is a managed device (computing device 14, refer to Col 12, Lines 35-50) and the definition file is a device information file (refer to Col 12, Lines 10-38).

4. Referring to Claims 4, 17, 30 and 44, Peinado does discloses wherein the device file (refer to Col 12, Lines 10-38 and Col 14, Lines 15-35, it is inherent that Windows Operating System provides the Windows Reg Files)

5. Referring to Claims 5, 18, 31 and 45, Peinado discloses (e) sending at least one license file from the management server to the managed user (refer to Col 10, Lines 4-67); and (f) in response to information in the license file, enabling at least one function in the client software (refer to Col 13, and 14).

6. Referring to Claims 6, 19, 32 and 46: Peinado discloses (g) sending at least one policy restriction file (refer to Col 11 and 12) from the management server to the managed user; and (h) in response to information in the policy restriction file, restricting at least one function in the client software (refer to Col 13, and 14).

7. Referring to Claims 7, 20 and 33: Peinado discloses (j) creating a client list of licensed components and policy restrictions in the client software of the managed user (old version number, refer to Col 22, Lines 14-25 and certification, refer to Col 22, Lines 45-67); (j) sending the client list to the management server (Col 39, Lines 54-67, and Col 40, Lines 1-12), (k) creating a server list of licensed components and policy restrictions in the management server (refer to Col 11 and Col 12); (l) comparing the client list to the server list (refer to Col 20, Lines 12-67); and (m) adjusting and synchronizing the components in the client software based on the comparison on step (k) (refer to Col 22, Lines 15-30).

8. Referring to Claims 8, 21, and 34 Peinado discloses (m) comprises downloading and installing licensed components from the management server to the client software which components are on the server list and are not on the client list (refer to Col 3, Lines 24-45).

9. Referring to Claims 9, 22 and 35, Peinado discloses wherein step (1) comprises revoking licenses in the client software of components are on the client list (black ox server/user server, refer to Col 12, Lines 3-65) and are not on the server list (content server, refer to Col 12, Lines 50-67).

Art Unit: 2151

10. Referring to Claim 10, 23 and 36, Peinado discloses wherein steps (j) to (m) are repeated periodically (refer to Col 3, Lines 24-45, Col 39, Lines 54-67 and Col 40, Lines 1-12).

11. Referring to Claims 11, 24, and 37 Peinado discloses (n) periodically sending event notifications and statistical information from the client software of the managed user to the management server (refer to Col 3, Lines 24-45, Col 39, Lines 54-67, and Col 40, Lines 1-12).

12. Referring to Claims 12, 25 and 38, Peinado discloses wherein the event notifications include error notifications (Examiner interprets the version number as an error notification, refer to Col 22, Lines 14-25 and Col 34, Lines 1-10)

13. Referring to Claims 13, 26 and 39, Peinado discloses wherein event notifications (old version number, refer to Col 22, Lines 14-25) and statistical information (certification, refer to Col 22, Lines 45-67) are temporarily stored in a memory located at a client site (refer to Col 21, Lines 60-67).

Response to Arguments

Applicant's arguments filed 8/12/05. The arguments are moot due to the new ground of rejections.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2151

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen Tang

10/20/05


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER